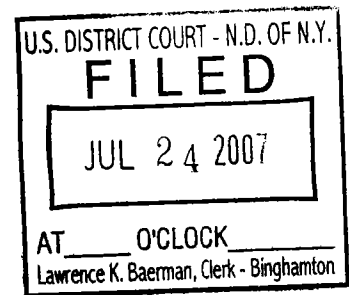


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

John J. Hamzik

-v-

Zale Corporation/Delaware



Case No.
3:06cv1300 TJM-DEP

AMENDED ORDER

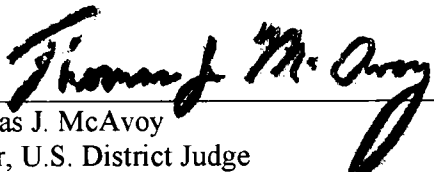
IT IS HEREBY ORDERED, that consistent with the memorandum decision and order signed by the Court in the above captioned action on July 16, 2007, the Court FURTHER ORDERS, ADJUDGES and DECREES that Defendants' Motion for Summary Judgment has been granted; and

The Court further ORDERS, ADJUDGES and DECREES that the Complaint in the above captioned action be dismissed with prejudice in its entirety; and

The Court further ORDERS, ADJUDGES and DECREES that the registration by the United States Patent and Trademark Office to Plaintiff John J. Hamzik of the trademark "The Dating Ring" (U.S. TM. Reg. No. 2,437,265), is hereby, cancelled and instructs the Commissioner of the United States Patent and Trademark Office to cancel the same; and

The Court further ORDERS, ADJUDGES and DECREES that the Counterclaims alleged by the Defendant against Plaintiff John J. Hamzik be dismissed, and this action is dismissed in its entirety.

IT IS SO FURTHER ORDERED, on this 24TH DAY OF JULY, 2007,


Thomas J. McAvoy
Senior, U.S. District Judge

X